

**TOWN OF MIDDLESEX**  
**PLANNING BOARD**

Minutes – April 2, 2009, 7pm

Board Present: Marty DeVinney, Chair; John Gilbert, Loretta Henrie, Lynn Lersch, Bob Mincer, Bruce St. Lawrence

Others Present: Tim O'Brien, builder for Mr. Steve Miller and father, Matt Sinacola, and Tim Tyskiewicz, architect and engineer representative agent for Dan O'Brien owner; Donald Sheive, resident

Agenda: (2) Site Plan Reviews – Mr. Steve Miller, with representing agent-Tim O'Brien, builder for property on 690 East Lake Road for a single-family residence. Site review for approval to lift a Stop Work Order placed due to erosion/site failure. Site Plan Review for Mr. Dan O'Brien of 1163 South Lake Road for a 1500sf single-family residence. Review presented by Engineer representative, Matt Sinacola, and Architect designer, Tim Kavanitz.

Meeting came to order at 7:15p

1. Site review: Miller site/690 E. Lake Road: Mr. Steve Miller and representing agent, Tim O'Brien builder presented a revised site plan with updated site map for development of a single family residence in the LR District. This site had a Stop Work Order placed on it due to erosion from failed drainage issues, which caused site failure. The Planning Board visited the site on 3/25 with George Barden, Kevin Olvany and Robert Hutterman, a structural PE from LU Engineers who was there to observe. Recommendations from that visit included: replacement of upland drainage culvert and ditches, and improved site stabilization via use of silt fencing to encompass the perimeter of the property lines where soil is and will be disturbed. Footers need to be filled in after CEO inspection, and Site Map revised to include building contours and erosion control revisions.

CEO's summary: Soil disturbance has now been leveled off. Footers have been filled in and though this office was not called for the appropriate inspection, the owner has legally signed off on this inspection by sending pictures of this fill-in procedure to site Engineer Tim Grove and a letter signed by him will state his legal responsibility. A silt fence has been added up to the northern property line only. Point of egress and ingress to the site has been reworked and failed culvert replaced as well as storm ditching along the side of the driveway added. Site project is still on hold until letter received from attorney and any possible further revisions from the board.

Board recommended the following revisions: On site footings were to be inspected by a certified engineer with a letter stamped by the same engineer for the structural integrity of the footings. Primary erosion control via straw bales to be removed and a silt fence to be placed around entire perimeter of the property line wherein erosion could occur. Rip rap stone to be placed where culvert replacement daylight to surface to regulate further erosion possibilities. Revisions must be added to Site Map by Tim Grove, Engineer. A reminder was stated of site reparation and re-vegetation deadline within 2 weeks from final grade-work stage on site.

Chairman DeVinney entertained a motion for conditional approval with recommendations. Board member Gilbert seconded the motion. Motion was carried to a vote with all members present in agreement.

2. Site Review continued from March 19: Mr. Matt Sinacola, civil engineer and Tim Tyskiewicz, architect designer presented revisions to their Site Plan for property owned

By Mr. Dan O'Brien of 1163 South Lake Road, Middlesex. Mr. O'Brien's application is for a 1500sf single-family residence in the LR District. After a 3/25 onsite visit and advisement from outside resources, the Planning Board made the following recommendations for site plan revision before approval:

O'Brien site review:

- A. Silt fencing should be installed utilizing properly staked and entrenched silt fence fabric. The use of straw bales is no longer an approved practice.
- B. The (2) submitted plans should be revised into (1) site map showing:
  1. Raised mid-point of house to fit into the hill grade
  2. Contour lines around retaining walls onsite
  3. The intent of discharge from downspouts around foundation day-lighted into property swales on sides.
  4. Sequence notation of proposed vehicle egress and ingress in direct relation to soil and erosion site provisions on this 50' lot. (silt fencing, soil stabilization and reparation)
- C. A calculation of the % of soil to be hauled offsite and the total % of soil to be disturbed.
- D. A third party licensed engineer representing the Town as well as the services of Rick Ayers' office should review this plan for final recommendations based on the above concerns.

The site review will be continued and reheard on April 16 if revisions are completed by said date. The board will review SEQR and the Stormwater Management and Erosion Control Law as its regulations pertain to this site's unique qualities.

Board Member St. Lawrence reviewed edit changes from the Town Board for a comprehensive inter-law consistency as it pertained to updating penalty clauses. A motion was made by Chairman DeVinney and seconded by Bob Mincer to change the Subdivision Land Use Regulations, Art. #7, Sect. 7.1 penalty clause in Section to reflect the same wordage as in the Private Driveway/Private Road Law, Sect. 7.1. Motion carried and was brought to a vote with all members in favor.

Next month's agenda:

Site Plan revisions from O'Brien; Informal review for major subdivision on 556 East Lake Road represented by Mr. Kenyon from the Highlands Group of Rochester. This property is located in the town's LR District and consists of 5.6 acres with 684' of shoreline frontage with plans to divide into (4) building lots.

Meeting adjourned at 9:30pm

Minutes submitted by L. Lersch. Revisions to Lsammy5@frontiernet.net